

FORMAL MEETING AGENDA
BOARD OF SUPERVISORS
(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts, and/or Board of Deposit)
WEDNESDAY, MARCH 12, 2008
9:00 AM
Board of Supervisors' Auditorium
205 W. Jefferson
Phoenix, Arizona

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

*One or more members may attend telephonically.
Members attending telephonically will be announced at the meeting.*

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

BOARD OF SUPERVISORS

1. Introduction of the "Pet of the Month" from Maricopa County Animal Care & Control.

STATUTORY HEARINGS

Clerk of the Board

2. LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Craighton T. Boates for a Special Event Liquor License: (SELL824) (F23249)

Business Name:	Rotary Club of Anthem
Location:	41703 N. Gavilan Peak Parkway, Anthem, 85086
Date/Time:	March 15 and 16, 2008 – 10:00 AM to 8:00 PM

- b. Application filed by Forrest R. Briesch for a Special Event Liquor License: (SELL825) (F23249)

Business Name: St. Elizabeth Seton Catholic Church
Location: 9728 W. Palmeras Drive, Sun City, 85373
Date/Time: April 12, 2008 – 6:00 PM to 10:00 PM

- c. Application filed by Donald A. Rogers for a Special Event Liquor License: (SELL823) (F23249)

Business Name: Knights of Columbus
Location: 14818 W. Deer Valley Drive, Sun City West, 85375
Date/Time: April 13, 2008 – 3:00 PM to 7:00 PM

- d. Application filed by Gerald J. Thomsen for a Special Event Liquor License: (SELL822) (F23249)

Business Name: Knights of Columbus Assembly #1673
Location: 14818 W. Deer Valley Drive, Sun City West, 85375
Date/Time: April 17, 2008 – 11:30 AM to 4:00 PM

- e. Application filed by Suchada Tirakul for a New Series 12 Liquor License: (MCLL6262) (AZ#12077494)

Business Name: Dara Thai Café
Location: 3655 W. Anthem Way, B127, Anthem, 85086

- f. Application filed by Donald E. Majdecki for a Special Event Liquor License: (SELL826) (F23249)

Business Name: Knights of Columbus, Sun City, #6612
Location: 15800 Del Webb Boulevard, Sun City, AZ 85351
Date/Time: April 2, 2008, 3:00pm – 6:00pm

3. SCOTTSDALE COUNTY ISLAND FIRE DISTRICT

Pursuant to A.R.S. §48-851, convene the scheduled public hearing regarding the formation request for the proposed Scottsdale County Island Fire District, located in the City of Scottsdale municipal planning area. The Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district formation request and authorize the persons proposing the district to circulate petitions. The revised map and list of proposed organizing board members are on file in the office of the Clerk of the Board. (Supervisory District 2) (C0608059701) (ADM4454)

Transportation

4. ROAD FILE DECLARATIONS

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

- a. **Road File No. (A391)** – In the vicinity of Maddock Road and 17th Avenue from Maddock Road to Joy Ranch Road. (Supervisory District 3) (C6408129000)
- b. **Road File No. (A389)** – In the vicinity of Briles Road from Reems Road to 151st Avenue. (Supervisory District 4) (C6408131000)

Air Quality

5. AIR POLLUTION CONTROL REGULATION RULE 280 - FEES

Pursuant to A.R.S. §49-479(b), convene the scheduled public hearing to solicit comments on proposed revised Maricopa County Air Pollution Control Regulation Rule 280 (Fees) and on submitting the rule to EPA as a revision to the Title V program. Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rule 280 (Fees) and to submit the rule to EPA as a revision to the Title V program. (Proposed Fee Schedule on file in the Office of the Clerk of the Board) (C8508017700) (ADM2354)

6. AIR POLLUTION CONTROL REGULATION RULE 300 - VISIBLE EMISSIONS

Pursuant to A.R.S. §49-479(b), convene the scheduled public hearing to solicit comments on the proposed revisions to Maricopa County Air Pollution Control Regulations Rule 300-Visible Emissions and to solicit comments on submitting this rule as a revision to the (Arizona) State Implementation Plan (SIP). Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rule 300 and to submit the revised rule as a revision to the (Arizona) State Implementation Plan (SIP). (Proposed Rule 300 on file in the Office of the Clerk of the Board) (C850801870) (ADM2354)

7. AIR POLLUTION CONTROL REGULATION RULE 314 - OPEN OUTDOOR FIRES AND INDOOR FIREPLACES AT COMMERCIAL AND INSTITUTIONAL ESTABLISHMENTS

Pursuant to A.R.S. §49-479(b), convene the scheduled public hearing to solicit comments on the proposed revisions to the following Maricopa County Air Pollution Control Regulation: Rule 314, Open Outdoor Fires and Indoor Fireplaces at Commercial and Institutional Establishments, and to solicit comments on submitting the rule as a revision to the (Arizona) State Implementation Plan (SIP). Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations, Rule 314 and to submit the revised rule as a revision to the (Arizona) State Implementation Plan (SIP). (Proposed Rule 314 on file in the Office of the Clerk of the Board) (C8508019700) (ADM2354)

8. AIR POLLUTION CONTROL REGULATION RULE 316 - NONMETALLIC MINERAL PROCESSING

Pursuant to A.R.S. §49-479(b), convene the scheduled public hearing to solicit comments on the proposed revisions to Maricopa County Air Pollution Control Regulations Rule 316-Nonmetallic Mineral Processing and to solicit comments on submitting Rule 316 as a revision to the (Arizona) State Implementation Plan (SIP). Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rule 316 and to submit the revised rule as a revision to the (Arizona) State Implementation Plan (SIP). (Proposed Rule 316 on file in the Office of the Clerk of the Board) (C8508020700) (ADM2354)

Public Health

9. ADULT IMMUNIZATION FOREIGN VARIABLE FEES SCHEDULE

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to authorize and approve the Department of Public Health to use a variable fee schedule with the ability to increase fees for any cost increase in vaccine cost for the Maricopa County Public Health Adult Immunization Foreign Travel.

The proposed variable fee schedule will be attributable to and defray or cover the expense of the product or service for which the fee will be assessed. No fee will exceed the actual cost of the product or service provided.

Use of the variable fee schedule will be based on the following Board of Health recommendation.

If the individual vaccine cost increases above 30% of the established actual vaccine cost, as of January 31, 2008, plus the fixed administration cost of \$41.10, Public Health will seek Board approval through the public hearing process, pursuant to A.R.S. §11-251.08.

The Variable Fee Schedule will be as follows: \$41.10 plus listed vaccine cost. Vaccine cost is established by County contracted vendors through established procurement procedures. The variable fee schedule will be effective upon Board approval. (C8608058M00) (ADM2151)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

10. EXCEPTION TO THE MARICOPA COUNTY COMPENSATION PLAN SECTION IV.A. SALARY ADVANCEMENT

Approve an exception to the Maricopa County Compensation Plan Section IV.A. Salary Advancement to allow the salary advancement to be effective retroactively to July 2, 2007 for Stefanie Murphy, Management Analyst, in the Office of the Clerk of the Board of Supervisors as a result of a Market Range Study. The estimated cost associated with the approval of this retroactive salary advancement request is \$3,164; annualized, the impact will be: \$4,719. The full amount will be funded within the department's current budget. The original placement of this position in the market study review was appealed and the proper market range has now been established. This retroactive request is to keep this position in line with other market range adjustments within the department. (C0608073800) (ADM3308-001)

Sheriff

11. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM FOR PURCHASE OF COMPUTERS

Approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to proceed with the purchase of four laptop and four desktop computers through the Homeland Security – Urban Area Security Initiative Grant. The estimated cost of these computers is \$22,286.52. The Sheriff's Office FY 2007-08 indirect costs rate is 11.7%. The unrecoverable indirect costs associated with this purchase are estimated to be \$2,607.52.

The Sheriff's Office was awarded funding from the U.S. Department of Homeland Security, Urban Areas Security Initiative (UASI) passed through the Arizona Department of Emergency Management (ADEM) via the City of Phoenix, which was approved by the Board on October 4, 2006 (C50075223). This authorization is required to complete the one-time purchase of these computers within the grant period. These laptop computers will be tracked separately from the Sheriff's Office computers that are included in the TFP with no automatic replacement from the general fund when they are no longer useful. (C5007522304) (ADM1831)

12. WAIVER TO THE MARICOPA COUNTY EMPLOYEE LEAVE PLAN

Approve a Waiver to the Maricopa County Employee Leave Plan V & VI, for Detective Kevin Watkins, S091, who was seriously injured as a result of an "Act of Violence" through no fault or negligence of his own, while on duty July 9, 1994. The Industrial Injury case has been re-opened due to additional problems. Allow the payment of normal base salary and benefits to the employee for the duration of up to one year or return to full duty, whichever is earlier, effective February 20, 2008. Any workers' compensation to this employee will be returned. (C5008040M00) (ADM3320-001)

Treasurer

13. COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT

Pursuant to A.R.S. §11-501, accept the Treasurer's Statement of Collections and Investment summary reports for **January 2008**, as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (C4308015700) (ADM4006)

TRIAL COURTS

Superior Court Judges and Commissioners

14. TRANSFER EXPENDITURE APPROPRIATION FOR ADDITIONAL ONE-TIME EXPENDITURES

Pursuant to A.R.S. §42-17106, transfer expenditure appropriation in the amount of \$207,000 from Non-Departmental (471) Non-Departmental Grant Fund (Fund 249) reserved contingency for Potential Fee Increases to the Superior Court (800) Judicial Enhancement Fund (Fund 208). Approval of this action will **increase** the expenditure level from \$433,277 to \$640,277 to accommodate additional one-time expenditures. (C3808011300) (ADM1001-003)

COUNTY MANAGER

Office of the County Manager

15. ADMINISTRATIVE CORRECTION TO THE APPLICATION AND ACCEPTANCE IN PASS-THROUGH TRIBAL GAMING FUNDS FROM THE FORT MCDOWELL YAVAPAI NATION

Approve an Administrative Correction to the action taken on June 20, 2007 (C2007099000) which authorized the application and acceptance of not-to-exceed \$55,000 in pass-through tribal gaming funds from the Fort McDowell Yavapai Nation by Maricopa County for the Florence Crittenton Youth Academy. This correction will add the authorization to execute an Intergovernmental Agreement between the Fort McDowell Yavapai Nation and Maricopa County as the acceptance document for \$5,000 for the Crittenton Youth Academy for FY 2007-08 and retained in file C2007099000. (C2007099001)

16. ACCEPTANCE OF GRANT FUNDS FOR REIMBURSEMENT OF BULLETPROOF VESTS

Approve acceptance of Bulletproof Vest Partnership grant funding from the Federal Bureau of Justice Assistance (BJA) in the amount of \$53,908.06. Funds will be used to reimburse costs for bulletproof vests for the Maricopa County Sheriff's Office and Maricopa County Juvenile Probation Department. The Maricopa County Sheriff's Office will receive \$36,118.43 towards 277 vests. The Maricopa County Juvenile Probation Department will receive \$17,789.63 towards 134 vests. The term of the grant is from April 1, 2007 to September 30, 2011

Also, approve revenue and expenditure appropriation **increase** adjustments of \$36,118.43 for FY 2007-08 to the Maricopa County Sheriff's Office (501) Grants Fund (251) and \$17,789.63 for FY 2007-08 to the Maricopa County Juvenile Probation Department (271) Grants Fund (227). Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The grantor does not allow for indirect cost recovery. The total unrecoverable indirect amount is \$11,110.45. The Sheriff Department indirect rate is 11.7% and they will not recover \$4,225.86. The Juvenile Probation Department indirect rate is 38.7% and they will not recover \$6884.59. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008041300)

DEPUTY COUNTY MANAGER

Correctional Health

17. AMENDMENT TO IGA WITH PIMA COUNTY FOR PIMA COUNTY RESTORATION TO COMPETENCY PROGRAM

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) C2607007203, between Pima County and Maricopa County Department of Correctional Health Services (CHS) for establishing and operating a Pima County Restoration to Competency program in Tucson, AZ. This amendment changes:

- The termination date from June 30, 2008 to December 31, 2007;
- The billing charge for services of Maricopa staff identified in Exhibit B-2 to \$23,359.21 per month effective, September 1, 2007;
- The billing rate for Maricopa County Ad Hoc Staff identified in Exhibit B-1 to \$84.00 per hour Exhibit B Pricing Schedule to read as follows:
- Effective September 1, 2007 Maricopa shall bill Pima according to the following:
- The staffing model replaces Lindy Funkhouser as Project Manager (Maricopa) with Kate Lawson as Program Manager (Pima). Billable costs reflect replacement of a Maricopa Project Manager with a Pima Program Manager effective September 1, 2007.

The acceptance and approval of this amendment No. 2 to the IGA with Pima County allows for revenue and expenditure appropriation adjustment to reduce Correctional Health Services (260) Correctional Health Services General Fund (100) associated with the aforementioned IGA in the amount of \$340,000 in FY 2008. (C2607007203) (C2607007203)

Management and Budget

18. CAPITAL PURCHASING FREEZE

Approve immediate implementation of a Capital Purchasing Freeze to be implemented in all judicial branch, elected and appointed departments according to the document entitled, "FY 2007-08 Capital Purchasing Freeze Process". Through January, State Shared Sales Tax, Vehicle License Tax and Jail Excise Tax revenues are \$14.8 million under budget. Mid-year reductions in administrative expenditures offset \$3.2 million of the revenue shortfall and a hiring freeze is in effect allowing critical review of vacant positions. A capital purchasing freeze is recommended in order to focus county spending on critical and necessary items. The "FY 2007-08 Capital Purchasing Freeze Process" will allow for exceptions when if the purchase affects the health or safety of Maricopa County citizens, or is deemed necessary. (Copy of the FY 2007-08 Capital Purchasing Freeze Process is on file in the Office of the Clerk of the Board) (C4908029600) (ADM1833)

Office of Enterprise Technology

19. TECHNICAL CORRECTION FOR INFRASTRUCTURE REPLACEMENT PROJECT

Approve a technical correction to the action taken on April 18, 2007, Agenda Number C4107012100 regarding upgrade to the network infrastructure in the Downtown Campus and Clustered Data Centers. This correction replaces the following language: "direct the Office of Management and Budget to budget additional cabling and accessories using Telecommunications Fund Balance beginning in FY 08," with "Transfer expenditure authority of \$2,000,000 from the Non-Departmental (470) Grants Fund (249) to the Office of Enterprise Technology (410) Telecommunications Fund (681) in FY 08.

In addition to the above correction also approve the following two actions:

- o Approve an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) Grants Fund (249) by \$2,000,000 and increasing the FY 2007-08 Office of Enterprise Technology (410) Telecommunications Fund (681) by \$2,000,000. This is a one-time adjustment that will use fund balance to pay for cables and accessories necessary for the Infrastructure Replacement project, FY 2007-08 costs not to exceed \$2,000,000. The adjustment will result in a countywide net impact of zero. Transferring expenditure authority between two funds is in accordance to A.R.S. §42-17106(B).
- o Direct the Office of Management and Budget to add a new project in the Chart of Accounts titled Infrastructure Replacement (INFR) so that costs associated with the project can be tracked and reported under a unique function and code. (C4108006M00) (ADM2700-003)

20. PURCHASE OF EQUIPMENT AND INSTALLATION OF UNINTERRUPTED POWER SOURCE EMERGENCY POWER

Approve the purchase of equipment and installation of Uninterrupted Power Source (UPS) emergency power for the Maricopa County Administration Building.

Pursuant to A.R.S. §42-17106(B), approve a transfer of expenditure authority from Appropriated Fund Balance (480) General Fund (100) Technology Reserve (4811) to Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) in a new line item entitled "Data Center Power Plan" in the amount of \$2,050,000. This action requires an expenditure appropriation adjustment **decreasing** the FY 2007-08 Appropriated Fund Balance (480) General Fund (100) Technology Reserve (4811) expenditure budget by \$2,050,000 and **increasing** the FY 2007-08 Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) by \$2,050,000. This action will fund the replacement of two independent, undersized emergency power sources that have outlived their useful life (over 15 years) as the data center backup power source. (C4108008000)

Public Health

21. NOTICE OF GRANT AWARD FROM THE HEALTH RESOURCES AND SERVICES ADMINISTRATION TO SOUTH PHOENIX HEALTHY START PROGRAM

Approve the Notice of Grant Award from the Health Resources and Services Administration (HRSA) to the Department of Public Health's South Phoenix Healthy Start Program in the amount of \$400,000 for the budget period February 1, 2008 through January 31, 2009.

The Department of Public Health's indirect rate for FY 2007-08 is 18%. HRSA allows for only 10% indirect costs for this grant. Full indirect costs are estimated at \$65,454 of which \$36,363 is recoverable and \$29,090 is unrecoverable.

Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$0 for fiscal year 2008 and \$233,333 for FY 2008-09. The appropriation adjustment is not necessary in FY 2007-08 because these funds were included in the FY 2007-08 adopted budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funding for this agreement is provided by the Grant from HRSA and will not increase the County general fund budget. (C8602165214)

22. ADMINISTRATIVE CORRECTION TO IGA WITH DES FOR REFUGEE SCREENING MEDICAL ASSISTANCE PROGRAM

Approve an administrative correction to agenda item C8604064206, Intergovernmental Agreement (IGA) No. C86040642, Department of Economic Security (DES) Contract Number E6305001 for the Department of Public Health's Refugee Screening Medical Assistance Program, approved by the Board on February 6, 2008. This correction changes the notation, "Approve Amendment No. 5" to "Approve budget appropriation increase". All other terms and conditions of this agreement remain unchanged. (C8604064207)

23. AMENDMENT TO CONTRACT FOR SERVICES WITH ARIZONA STATE UNIVERSITY – COMMUNITY HEALTH SERVICES CLINIC

Approve Amendment No. 6 to the Contract for Services (C86060231) from Maricopa County Department of Public Health (MCDPH) to the Arizona Board of Regents d.b.a. Arizona State University – Community Health Services Clinic to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment increases the contract dollar amount by \$40,000. Total funding for the contract term ending June 30, 2008, will increase to an amount not-to-exceed \$140,000. This amendment also adds section 2.0 Payment, 2.3, "Combined total of all subcontracts shall not surpass the not-to-exceed amount of the IGA between Maricopa County Department of Public Health and Arizona Department of Health Services, No. HG761266 in the amount of \$580,000, for the Well Woman Healthcheck Program." All other terms and conditions of the original Contract shall remain in full force and effect.

This agreement is a subcontract to IGA (HG761266) between MCDPH and the Arizona Department of Health Services (ADHS), and does not increase the County general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. Arizona Board of Regents d.b.a. Arizona State University – Community Health Services Clinic was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on June 10, 2005 (PH ROQ 05-008). (C8606023106)

24. AMENDMENT TO CONTRACT WITH CATHOLIC HEALTHCARE WEST D.B.A. ST. JOSEPH'S HOSPITAL AND MEDICAL CENTER

Approve Amendment No. 6 to Contract No. C86060281 between the Maricopa County Department of Public Health (MCDPH) and Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center to provide Well Woman Healthcheck services. This amendment increases the contract dollar amount by \$40,000. Total funding for the contract term ending June 30, 2008 will increase to an amount not-to-exceed \$100,000. This amendment also adds section 2.0 Payment, 2.3, "Combined total of all subcontracts shall not surpass the not to exceed amount of the IGA between Maricopa County Department of Public Health and Arizona Department of Health Services, No. HG761266 in the amount of \$580,000, for the Well Woman Healthcheck Program." All other terms and conditions of the original Contract shall remain in full force and effect.

This agreement is a subcontract to the Intergovernmental Agreement (HG761266) between MCDPH and the Arizona Department of Health Services (ADHS), and does not increase the County general fund. Reimbursement to subcontractors are on a per client enrollee basis at a rate established by ADHS. Arizona Board of Regents d.b.a. Arizona State University – Community Health Services Clinic was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on June 10, 2005 (PH ROQ 05-008). (C8606028106)

25. AMENDMENT TO CONTRACT WITH MOUNTAIN PARK HEALTH CENTER, INC

Approve Amendment No. 10 to Contract No. C86070041 between the Maricopa County Department of Public Health (MCDPH) and Mountain Park Health Center, Inc to provide Well Woman Healthcheck services. This amendment increases the contract dollar amount by \$75,000. Total funding for the contract term ending June 30, 2008, will increase to an amount not-to-exceed \$120,000. This amendment also adds section 2.0 Payment, 2.3, "Combined total of all subcontracts shall not surpass the not-to-exceed amount of the IGA between Maricopa County Department of Public Health and Arizona Department of Health Services, No. HG761266 in the amount of \$580,000, for the Well Woman Healthcheck Program." All other terms and conditions of the original Contract shall remain in full force and effect. This agreement is a subcontract to Intergovernmental Agreement (HG761266) between MCDPH and the Arizona Department of Health Services, and does not increase the County general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. (C8607004107)

26. AMENDMENTS FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

- a. Approve Amendment No. 2 to Intergovernmental Agreement (IGA) No. C86074242 with the **Pendergast School District** to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Amendment No. 2 will increase contract amount by \$2,000 for budget term July 1, 2007 through May 1, 2008 (from \$40,000 to a new not-to-exceed aggregate amount of \$42,000). This amendment is effective upon execution by both parties. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. (C8607424202)

- b. Approve Amendment No. 3 to Intergovernmental Agreement (IGA) No. C86074492 with the **Washington School District** to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Amendment No. 3 will increase contract amount by \$2,000 for the budget term July 1, 2007 through May 1, 2008 (from \$79,000 to a new not-to-exceed aggregate amount of \$81,000). This amendment is effective upon execution by both parties. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. (C8607449203)

27. IGA WITH THE AVONDALE FIRE DEPARTMENT

Approve the intergovernmental agreement (IGA) by and between the City of Avondale by and through the Avondale Fire Department (Avondale Fire) and Department of Public Health's Community Health Nursing Program (CHN). This IGA will provide Avondale Fire with funds that will be used to administer mandatory immunization to school aged children. The amount of this agreement is not-to-exceed \$225,000 over the period of three years. The term of this agreement is valid upon Board approval through February 31, 2011. Funding for this IGA is provided by a grant from Arizona Department Health Services, and will not affect the County general fund. (C8608045200)

28. AFFILIATION AGREEMENT FOR CLINICAL NUTRITION TRAINING EXPERIENCE

Approve the Affiliation Agreement between Scottsdale Healthcare and the Department of Public Health to provide clinical nutrition training experience for graduate students in the dietetic internship at the Department of Public Health Office of Nutrition Services. The agreement is non-financial, and the term is from January 1, 2008 through December 31, 2009. (C8608061000)

29. IGA FOR GRANT FUNDING FOR THE TUBERCULOSIS CONTROL PROGRAM

Approve the Intergovernmental Agreement (IGA) No. HG852310 between the Arizona Department of Health Services (ADHS) and the Department of Public Health to provide grant funding for the Tuberculosis Control Program. The term for this IGA is January 1, 2008 through December 31, 2012. This IGA is budgeted in the amount of \$280,845 for the budget period of January 1, 2008 through December 31, 2008. The Department of Public Health's FY 2007-08 indirect rate is 18%. This grant allows for the full indirect estimated at \$42,841, all of which is recoverable.

Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$34,418 for FY 2007-08 and \$140,423 for FY 2008-09. The appropriation adjustment is necessary because these funds are not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105 Funding for this agreement is provided by the Grant from ADHS and will not increase the County general fund budget. (C8608062200)

Workforce Management and Development

30. SETTLEMENT AGREEMENT WITH AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES

Approve a non-monetary settlement agreement between American Federation of State, County and Municipal Employees (AFSCME) and Maricopa County Board of Supervisors regarding Complaint AFSCME v. Maricopa County Board of Supervisors, et al, CV 06-2128 PHX-SMM. On September 6, 2006, (AFSCME) filed a Complaint in federal district court based on the Board's decision to cease wage withholding for union and association dues, and on the County's administration of its solicitation and posting policies. The parties have now resolved the dues withholding issue and are memorializing their mutual understanding in a non-monetary settlement agreement. Once this agreement has been fully executed, the parties will move to dismiss the case with prejudice. This item was discussed in Executive Session on January 14, 2008 and March 10, 2008. This item was continued from the February 20, 2008 meeting. (C3108010000) (ADM409)

ASSISTANT COUNTY MANAGER – COMMUNITY SOLUTIONS AND INNOVATION

Community Development

31. REDISTRIBUTION OF FUNDS FROM CDBG PROJECT BUCKEYE WATER IMPROVEMENTS

Confirm the action taken on February 20, 2008 (C1707003201) where the Board approved the redistribution of \$85,031.19 from CDBG project DG0601, Buckeye Water Improvements, to CDBG project DG0701, Buckeye Water Improvements. CDBG Project DG0601 was originally approved at \$300,000 on May 3, 2006, under Agenda Item C17070022ZZ (C1707003200). CDBG Project DG0701 was originally approved at \$332,532 on May 2, 2007, under Agenda Item C17070022ZZ (C1708003200). The revised total for Project DG0601 would be \$214,968 and the revised total for Project DG0701 would be \$417,563. (C1708003201)

Human Services

32. APPLICATION FOR RECERTIFICATION OF THE MARICOPA COUNTY LOCAL WORKFORCE INVESTMENT BOARD

Approve the application for recertification of the Maricopa County Local Workforce Investment Board (LWIB) as required in Section 117 (c)(2) of Title IB of the Workforce Investment Act (the Act) of 1998. The (Act) requires re-certification every two years by the Arizona Governor, in accordance with criteria established in that section of the Act and with State policy. (C2208136M00) (ADM2512)

33. ADMINISTRATIVE CORRECTION TO APPLICATIONS FOR GRANT FUNDING FOR THE SPECIAL TRANSPORTATION SERVICES PROGRAM

Approve Administrative Correction to action taken on February 21, 2007 (C22080053ZZ) at which the Board authorized the Human Services Department to submit 29 applications for grant funding for the Special Transportation Services Program for a not-to-exceed \$5,759,000 for FY 2007-08. This correction will authorize replacing previously assigned numbers to the contracts approved under Agenda Item C22080053ZZ with a new series of Agenda Central numbers as described below in order to establish new numbers for each of the 29 STS grant applications authorized under C22080053ZZ. This Administrative Correction is solely to correct the numbering error for these STS grant contracts. (C22081503ZZ)

Former ZZ Action Associated with	Former ZZ Action and Contract Number	New ZZ Action and Contract Numbers	Contract Name / Description
N/A	C 22 08 005 3 ZZ BOS approved 2/21/2007	C 22 08 150 3 ZZ	
C 22 08 001 3 ZZ	C 22 08 006 3 00	C 22 08 151 3 00	City of Phoenix - FTA Capitol Improvement Funding
C 22 08 001 3 ZZ	C 22 08 007 3 00	C 22 08 152 3 00	City of Tolleson STS Funding
C 22 08 001 3 ZZ	C 22 08 008 3 00	C 22 08 153 3 00	City of Chandler - United Way STS Funding (Expend)
C 22 08 001 3 ZZ	C 22 08 009 3 00	C 22 08 154 3 00	Town of Fountain Hills STS Funding
C 22 08 001 3 ZZ	C 22 08 010 3 00	C 22 08 155 3 00	Town of Youngtown STS Funding
Department issued	C 22 08 011 3 00	C 22 08 156 3 00	City of Chandler - United Way STS Funding
Department issued	C 22 08 012 3 00	C 22 08 157 3 00	Town of Queen Creek STS Funding
Department issued	C 22 08 013 3 00	C 22 08 158 3 00	Town of Gilbert STS Funding
Department issued	C 22 08 014 3 00	C 22 08 159 3 00	City of Glendale Transit STS Funding
Department issued	C 22 08 015 3 00	C 22 08 160 3 00	City of Glendale CDBG STS Funding
Department issued	C 22 08 016 3 00	C 22 08 161 3 00	Town of Buckeye STS Funding
Department issued	C 22 08 017 3 00	C 22 08 162 3 00	City of El Mirage STS Funding
Department issued	C 22 08 018 3 00	C 22 08 163 3 00	Area Agency on Aging
Department issued	C 22 08 019 3 00	C 22 08 164 3 00	City of Scottsdale STS Funding

Department issued	C 22 08 020 3 00	C 22 08 165 3 00	Town of Wickenburg STS Funding
Department issued	C 22 08 021 3 00	C 22 08 166 3 00	City of Mesa STS Funding
Department issued	C 22 08 022 3 00	C 22 08 167 3 00	City of Chandler STS Funding
Department issued	C 22 08 023 3 00	C 22 08 168 3 00	RPTA Valley Metro Capital Match (LTAF II Funding)
Department issued	C 22 08 024 3 00	C 22 08 169 3 00	City of Avondale STS Funding
Department issued	C 22 08 026 3 00	C 22 08 170 3 00	RPTA LTAF II
Department issued	C 22 08 025 3 00	C 22 08 171 3 00	City of Tempe STS Funding
Department issued	C 22 08 027 3 00	C 22 08 172 3 00	
Department issued	C 22 08 028 3 00	C 22 08 173 3 00	
Department issued	C 22 08 029 3 00	C 22 08 174 3 00	
Department issued	C 22 08 030 3 00	C 22 08 175 3 00	
Department issued	C 22 08 031 3 00	C 22 08 176 3 00	
Department issued	C 22 08 032 3 00	C 22 08 177 3 00	
Department issued	C 22 08 033 3 00	C 22 08 178 3 00	
Department issued	C 22 08 034 3 00	C 22 08 179 3 00	

34. MEMORANDUM OF UNDERSTANDING WITH THE NATIONAL FRATERNAL ORDER OF POLICE FOUNDATION

Approve Memorandum of Understanding C22081803, between the National Fraternal Order of Police Foundation (F.O.P.) and Maricopa County Human Services Department, for the career development and career advancement needs of spouses of fallen sworn law enforcement officers killed in the line of duty in the amount of \$47,100. This MOU is effective from the date of Board approval until June 30, 2010. (C2208180300)

35. CONTRACTS FOR EMPLOYED WORKER TRAINING PROGRAM

Approve the following contracts with Maricopa County Human Services Department for the Employed Worker Training Program. These contracts are effective from March 15, 2008 until March 15, 2009. Maricopa County's Employed Worker Training Program is a job-specific reimbursable contract program that supports the delivery of customized training that meets the specific training needs of a business or group of businesses. The program is designed to increase the skill and wage levels of employees as well as to create new job opportunities within Maricopa County:

- a. Vantage Mobility in the amount of \$22,500. (C2208181100)
- b. Nichols Precision in the amount of \$14,420. (C2208183100)
- c. Pivot Manufacturing in the amount of \$15,620. (C2208184000)

36. AGREEMENT WITH TEMPE COMMUNITY ACTION AGENCY FOR TRANSPORTATION SERVICES

Approve an agreement between Tempe Community Action Agency and Maricopa County Human Services Department, for the provision of transportation services. This agreement is effective from February 1, 2008 until June 30, 2009. This agreement will allow HSD STS to receive up to \$15,000 in funds from Tempe Community Action Agency to be used as the local match as required for the division's Job Access and Reverse Commute funding for the purchase of transit passes. The passes would be distributed to Tempe Community Action Agency's low-income participants for employment related travel. (C2208186300)

37. ADMINISTRATIVE CORRECTION TO APPLICATIONS FOR GRANT FUNDING TO SUPPORT THE CONTINUATION OF MARICOPA COUNTY'S HEAD START ZERO-FIVE PROGRAM

Approve Administrative Correction to action taken on February 26, 2007, (C22080013ZZ) at which the Board authorized the Human Services Department to submit nine applications for grant funding to support the continuation of Maricopa County's Head Start Zero-Five Program (Head Start and Early Head Start) for a not-to-exceed \$23,549,000 for FY 07-2008. This correction will reduce the number of applications from nine to four and re-establish the associated numbers in Agenda Central for the subsequent applications and award documents as stated below. (C2208187300)

C22080023 - \$18,721,194.00 US Dept of HHS EHS - Basic Funding grant
C22080033 - \$277,700.00 US Dept of HHS EHS - COLA Funding grant
C22080043 - \$000,000.00 AZ Dept. of Education – Adult Care Food Program
C22080053 - Not being used at this time

38. ADMINISTRATIVE CORRECTION TO APPLICATIONS FOR GRANT FUNDING FOR THE COMMUNITY SERVICES PROGRAM

Approve Administrative Correction to action taken on February 21, 2007 (C22080513ZZ) at which the Board authorized the Human Services Department to submit eight applications for grant funding for the Community Services Program for a not-to-exceed \$10,750,000 for FY 2007-08. This correction will authorize an additional three applications and associated contract slots for FY 07-2008 for a total of eleven application slots authorized under this action as detailed below: (C2208188300)

C2208060300 – Arizona Community Action Associate
C2208061300 – Not used at this time
C2208062300 -- Not used at this time

39. MARICOPA COUNTY WORKFORCE INVESTMENT AREA TWO-YEAR LOCAL WORKFORCE INVESTMENT PLAN

Approve the Maricopa County Workforce Investment Area Two-Year Local Workforce Investment Plan 2008-2010 for Title I of the Workforce Investment Act of 1998 and the Wagner Peyser Act. (C2208189M00) (ADM2501)

CHIEF FINANCIAL OFFICER

Animal Care & Control

40. KENNEL PERMIT

Pursuant to A.R.S. §11-1009, approve the following kennel permits. The cost of each kennel permit is \$328:

- a. Friends For Life Animal Sanctuary, located at 143 W. Vaughn Avenue, Gilbert, AZ 85234, for the term of February 20, 2008 through February 19, 2009. Permit #334. (Supervisory District 2) (C7908072C00) (ADM2304)
- b. Liz Hazen, d.b.a. Hazen Farms, located at 26951 W. Hazen Road, Buckeye, AZ 85326, for the term of February 20, 2008 through February 19, 2009. Permit #340. (Supervisory District 5) (C7908072C00) (ADM2304)
- c. Connie Hendricks, d.b.a. Hendricks Kennels, located at 4434 W. Tierra Buena Lane, Glendale, AZ 85306, for the term of February 20, 2008 through February 19, 2009. Permit #434. (Supervisory District 4) (C7908072C00) (ADM2304)
- d. Lynn and Larry Jech, d.b.a. Keepsake Kennels, located at 11446 W. Hidalgo, Tolleson, AZ 85353, for the term of February 20, 2008 through February 19, 2009. Permit #356. (Supervisory District 5) (C7908073C00) (ADM2304)
- e. Gary Mitchell and Christine Koudelka, d.b.a. Oh So Not So Kennels, located at 3202 W. Sierra Vista Drive, Phoenix, AZ 85017, for the term of February 20, 2008 through February 19, 2009. Permit #441. (Supervisory District 5) (C7908074C00) (ADM2304)
- f. Susan Di Gregario, d.b.a. S & J Kennels, located at 1117 N. 11th Street, Phoenix, AZ 85006, for the term of March 12, 2008 through March 11, 2009. Permit #082. (Supervisory District 5) (C7908076C00) (ADM2304)
- g. Isabel Swaney, d.b.a. Swaney Kennels, located at 26717 S. 206th St, Queen Creek AZ 85242, for the term of March 12, 2008 through March 11, 2009. Permit #424. (Supervisory District 1) (C7908076C00) (ADM2304)
- h. Jackie Lawrence, d.b.a. Desperado Hounds, located at 2070 E. Melrose Street, Gilbert, AZ 85297, for the term of March 12, 2008 through March 11, 2009. Permit #290. (Supervisory District 2) (C7908077C00) (ADM2304)

41. DONATIONS

Accept the monetary donation from **Buffalo Exchange** of Tucson, AZ in the amount of \$440.40; **Wanda Kolomyjec** of Phoenix, AZ in the amount of \$500; and, **PetSmart Charities** of Phoenix, AZ in the amount of \$1,259.30 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908075700) (ADM2300-006)

Finance

42. FUND TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

43. AMENDMENT TO IGA WITH TOWN OF GILBERT FOR USE OF A COUNTY-OWNED PARCEL OF LAND

Approve a Second Amendment to an Intergovernmental Agreement (IGA) with the Town of Gilbert for use of a county-owned parcel of land known as the "Gilbert Rodeo Grounds" located near Val Vista Drive and Ray Road, in the Town of Gilbert. This Second Amendment provides an additional six-month extension of the term that will expire on August 16, 2008. The Town will pay a nominal fee of \$10.00 for use of the subject site during the six-month extension period. The Facility Review Committee endorses the proposed Second Amendment. (C1808003201)

44. RESCIND PORTION OF AGENDA THAT AUTHORIZED PUBLIC NOTICE, ADVERTISEMENT, AND A PUBLIC AUCTION OF SURPLUS PROPERTY

Rescind the portion of Board agenda C1808037B00 that authorized the public notice, advertisement, and a public auction of surplus property located at 333 West Hatcher, Phoenix, Arizona. Pursuant to A.R.S. §11-256 (E) public notice, advertisement, and public auction are not required for a lease with a person or entity that leased property before the property was purchased by the County. (C1808037B01)

45. LEASE WITH DAVID B. GRUBLER, DDS, P.C.

Authorize a new lease, Lease MC10174, with David B. Grubler, DDS, P.C., an Arizona professional corporation, the existing tenant at 333 West Hatcher, Phoenix, AZ, and authorize the Chairman to execute all necessary documents approved by County Counsel to complete the new lease. In October of 2007, the County assumed a third-party lease for approximately 1,000 square feet of office space as part of the County's purchase of the 333 West Hatcher property. The subject lease will terminate in April of 2008. The County anticipates a need to use the leased premises as growth space for Adult and Juvenile Probation in approximately two to five years. (C1808042B00)

46. DECLARE VARIOUS OBSOLETE AND UNUSED BUILDINGS AND STRUCTURES ON DURANGO CAMPUS TO BE OF NO VALUE

Declare various obsolete and unused buildings and structures on Maricopa County's Durango Campus located at 2323 S. 35th Avenue to be of no value and authorize their demolition to clear space for future development. The structures have previously been used by the Animal Care and Control Department (ACCD). The facility consists of an administrative office, animal kennels, storage buildings, a truck wash and modular field offices. The Facilities Management site numbers for the structures are 1801, 1802, 1803, 1804, 1805, and 1806. (C1808040M00) (ADM806)

47. ANNUAL ADJUSTMENT TO INMATE BOOKING AND HOUSING FEES

Approve the annual adjustment to the inmate booking and housing fees charged to other jurisdictions for the use of Maricopa County jails. The effective date of this adjustment will be July 1, 2008. The inmate booking fee will **increase** from \$189.23 to \$199.35 per inmate booked; the inmate housing fee will increase from \$72.33 to \$73.46 per day. (C1808041800) (ADM3911)

Materials Management

48. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award

07126-S County Vehicle Towing Services (\$450,000 estimate/three years with three one-year renewal options) Price agreement for 24 hour/7 day week County vehicle towing services and other road services as required for the various types of Maricopa County owned fleet/equipment.

- Western Towing (Primary)
- All Over Towing (Secondary)
- Auto Citi Towing LLC. (Secondary)
- DV Towing LLC. (Secondary)
- Shamrock Towing (Secondary)

07153-C Heat, Vent and Air Conditioning [HVAC] Equipment (\$1,000,000 estimate/three years with three one-year renewal options) Price agreement to purchase HVAC equipment for County facilities as requested by the Facilities Management Department.

- Absolute Air Technologies, LLC
- Andrew's Refrigeration
- AZME
- Johnson Controls, Inc.

Parks and Recreation

49. AMENDMENT TO USE MANAGEMENT AGREEMENT WITH LAKE PLEASANT MARINA PARTNERS, LLC

Approve Amendment No. 1 to the Use Management Agreement between Maricopa County and Lake Pleasant Marina Partners, LLP (Concessionaire) (C3006012100) in order to amend Exhibit C.1 – Percentage Fee and Minimum Payment Schedule of the Agreement due to Construction delays not the fault of the Concessionaire. The Parties also desire to clarify additional language throughout the Agreement. The terms of the Use Management Agreement remains unchanged from December 7, 2005 until June 28, 2040, (approximately 35 years) with a 15 year renewal option. The effective date of this amendment is the date of Board approval. There is no budget adjustment required in the Lake Pleasant Regional Park Recreation Services Fund (240) as revenues have exceeded budget by more than the amount that would have been generated if Exhibit C.1 had not been amended. (C3006012101)

50. EXPENDITURE APPROPRIATION FOR DEVELOPMENT OF THE LAKE PLEASANT REGIONAL PARK AMPHITHEATER

Pursuant to A.R.S. §42-17106(B), approve an FY 2007-08 fund transfer of \$474,889 from the Parks & Recreation (300) Lake Pleasant Recreation Services Fund (240) to the Appropriated Fund Balance (480) Intergovernmental Capital Projects Fund (422). This action requires adjustments **increasing** the FY 2007-08 Parks & Recreation (300) Lake Pleasant Recreation Services Fund (240) expenditure appropriation by \$474,889 and **increasing** the FY 2007-08 Appropriated Fund Balance (480) Intergovernmental Capital Projects Fund (422) revenue appropriation by \$474,889, with offsetting revenue and expenditure adjustments in the Eliminations (980) Eliminations Fund (900).

Also, transfer expenditure authority of \$474,889 from the FY 2007-08 Non-Departmental (470) Non Departmental Grant Fund (249) to the FY 2007-08 Appropriated Fund Balance (480) Intergovernmental Capital Projects Fund (422). Also, **increase** the Appropriated Fund Balance (480) Intergovernmental Capital Projects Fund (422) Visitor Centers and Amphitheaters (VAMP) project revenue and expenditure appropriations by \$474,889. This action will allow the Parks & Recreation Department to fund the development of the Lake Pleasant Regional Park amphitheater from Lake Pleasant Recreation Services Fund (240) fund balance. Original funding for this project was approved by the Board on June 19, 2006 as a part of the FY 2006-07 Capital Improvement Program budget. (C3008021800) (ADM3200-003)

51. ACCEPT THE AWARDED ARIZONA BOATING SAFETY GRANT

Accept from the Arizona Game and Fish Department (AGFD) the awarded Arizona Boating Safety Grant. The award is for \$6,500 and will be used to facilitate expansion of boating safety by lending appropriate type and size life jackets to those who have a temporary need for them to increase safety in the water and reduce the number of drownings. Also authorize the Parks and Recreation Department to sign necessary reporting and reimbursement paperwork to administer the grant. The indirect cost recovery rate for Parks & Recreation is 17.57%. The unrecoverable indirect cost associated with the funding are estimated to be \$1,142. This grant does not allow for indirect cost recovery. Project Period is from date of signature of Arizona Game and Fish Department Director to June 30, 2009. (C3008022300)

52. AGREEMENT FOR DELIVERY OF EXCESS CENTRAL ARIZONA PROJECT WATER

Approve the agreement between the Central Arizona Water Conservation District (CAWCD) and Maricopa County, through its Maricopa County Parks and Recreation Department, providing for the delivery of excess Central Arizona Project (CAP) Water. There is no cost to County as all costs are reimbursed to the County by its Concessionaire Partners. The initial term of this Agreement expires on December 31 of the year in which it is executed and will automatically renew for successive one-year terms unless terminated. (C3008023200)

53. COLLECTION AGREEMENT FOR RECEIPT OF A GRANT FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF A NEW HEAD PIER WITH THREE FINGER PIERS TO FACILITATE PUBLIC FUELING AND PUMP-OUT STATIONS

Pursuant to A.R.S. §17-231(B)(7) and A.R.S. §11-952, approve the Collection Agreement (Agreement Number BIG 06-01) between the Arizona Game and Fish Commission (Commission) through its administrative agency, the Arizona Game and Fish Department (Department) and Lake Pleasant Marina Partners, LLC (Subgrantee) and Maricopa County (County) for receipt of a grant in the amount of \$100,000. The award is for the construction, maintenance and operation of a new head pier with three finger piers to facilitate public fueling and pump-out stations for watercraft 26' in length and longer (Project Number BIG 06-01) to be used at Scorpion Bay Marina and Yacht Club, Lake Pleasant Regional Park. The Subgrantee will be the recipient of all funding. The County is listed on the agreement because in event of default by the Subgrantee of its Use Management Agreement (C3006012100) with the County, the County takes control of the facilities upon which the award is based. In this event, the County will also be responsible for all terms and conditions of the Collection Agreement. There is no financial impact to the County. (C3008024000)

54. COLLECTION AGREEMENT FOR RECEIPT OF GRANT FOR PURCHASE, MAINTENANCE AND OPERATION OF HOLDING TANK PUMP-OUT CARTS

Pursuant to A.R.S. §17-231(B)(7) and A.R.S. §11-952, approve the Collection Agreement (Agreement Number CVA 05-04) between the Arizona Game and Fish Commission (Commission) through its administrative agency, the Arizona Game and Fish Department (Department) and Lake Pleasant Marina Partners, LLC (Subgrantee) and Maricopa County (County) for receipt of a grant in the amount of \$26,820.00. The award is for the purchase, maintenance and operation of two holding tank pump-out carts (Project Number CVA 05-04) to be used at Scorpion Bay Marina and Yacht Club, Lake Pleasant Regional Park. The Subgrantee will be the recipient of all funding. The County is listed on the Agreement because in event of default by the Subgrantee of its Use Management Agreement (C3006012100) with the County, the County takes control of the facilities upon which the award is based. In this event, the County will also be responsible for all terms and conditions of the Collection Agreement. There is no financial impact to the County. (C3008025000)

55. COLLECTION AGREEMENT FOR RECEIPT OF GRANT FOR PURCHASE, MAINTENANCE AND OPERATION OF A NEW PUMP-OUT STATION, A LIFT STATION AND ASSOCIATED PLUMBING AND ELECTRICAL IN SUPPORT OF SHORE-BASED DISPOSAL FACILITIES

Pursuant to A.R.S. §17-231(B)(7) and A.R.S. §11-952, approve the Collection Agreement (Agreement Number CVA 07-02) between the Arizona Game and Fish Commission (Commission) through its administrative agency, the Arizona Game and Fish Department (Department) and Lake Pleasant Marina Partners, LLC (Subgrantee) and Maricopa County (County) for receipt of a grant in the amount of \$85,994.00. The award is for the purchase, maintenance and operation of a new pump-out station, a lift station and associated plumbing and electrical in support of shore-based disposal facilities (Project Number CVA 07-02) to be located at Scorpion Bay Marina and Yacht Club, Lake Pleasant Regional Park. The Subgrantee will be the recipient of all funding. The County is listed on the Agreement because in event of default by the Subgrantee of its Use Management Agreement (C3006012100) with the County, the County takes control of the facilities upon which the award is based. In this event, the County will also be responsible for all terms and conditions of the Collection Agreement. There is no financial impact to the County. (C3008026000)

ASSISTANT COUNTY MANAGER – REGIONAL DEVELOPMENT SERVICES

Air Quality

56. ADMINISTRATIVE CORRECTION REGARDING FUND SOURCES RELATED TO MAG 5% REDUCTION PLAN COMMITMENTS

Approve administrative corrections to action taken on September 10, 2007, (C8508004600) regarding the funding sources for the County's MAG 5% reduction plan commitments. This correction moves the funding sources for Air Quality's use of fund balance from Fund 100 to Fund 249 since the funding is Air Quality's use of fund balance.

The original agenda approved on September 13, 2007, moved fund balance with the use of General Fund expenditure authority due to other fee increases and unplanned use of fund balance for Non-General Fund departments. However, the expenditure authority for the Non-General Fund departments is now sufficient to move the expenditure authority from Fund 249 for most of this request.

In accordance with A.R.S. §42-17106(B), approve the change from the transfer of expenditure authority between Non-Departmental (470), General Fund (100) Unreserved Contingency (4711) and the Air Quality Department (850) Air Quality Fund (504) to approve a one-time expenditure increase in the amount of \$2,235,633 to the Air Quality (850) Air Quality Fee Fund (504). The increase in the expenditure budget will be offset by the reduction to the FY 2007-08 General Government (470) General Fund (100) approved in agenda items C-49-08-024-8-00 and C-49-08-028-8-00, which resulted in a total reduction of \$8,362,522.

Also, in accordance with A.R.S. §42-17106(B), approve the change from the transfer of expenditure authority between Appropriated Fund balance (480), General Fund (100) Unreserved Contingency (4811) and the Air Quality Department (850) Air Quality Fund (504) to the transfer of expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Air Quality Department (850) Air Quality Fund (504). This action will require an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) Non-Departmental Grants Fund (249) by \$127,273 and increasing the Air Quality Department (850) Air Quality Fund (504) by \$127,273. These adjustments will result in a County-wide net financial impact of zero.

Also, in accordance with A.R.S. §42-17106(B), approve the change from the transfer of expenditure authority between Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) and the Air Quality Department (850) Air Quality Fund (504) to the transfer of expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Air Quality Department (850) Air Quality Fund (504). This action will require an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) Non-Departmental Grants Fund (249) by \$3,224,780 and increasing the Air Quality Department (850) Air Quality Fund (504) by \$3,224,780. This adjustment will result in a County-wide net financial impact of zero.

Also, in accordance with A.R.S. §42-17106(B), approve the change from the transfer of expenditure authority between Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) and the Air Quality Department (850) Air Quality Fund (504) to the transfer of expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Air Quality Department (850) Air Quality Fund (504). This action will require an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) Non-Departmental Grants Fund (249) by \$1,243,087 and increasing the Air Quality Department (850)

Air Quality Fund (504) by \$1,243,087. This adjustment will result in a County-wide net financial impact of zero.

Also, Per A.R.S. §42-17106(b), approve the change from the transfer of expenditure authority between Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) and the Planning and Development Department (440) Planning and Development Fee Fund (226) to the transfer of expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Planning and Development Department (440) Planning and Development Fee Fund (226). This action will require an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) Non-Departmental Grants Fund (249) by \$92,500 and increasing the Planning and Development Department (440) Planning and Development Fee Fund (226) by \$92,500. This adjustment will result in a County-wide net financial impact of zero. (C8508004601) (ADM2375-003) (ADM3400-003) (ADM2351-001)

Emergency Management

57. ACCEPT ADDITIONAL GRANT AWARD FOR THE SUPPLEMENTAL EMERGENCY MANAGEMENT PERFORMANCE GRANT

Approve and accept additional grant award from the Arizona Division of Emergency Management for the Supplemental Emergency Management Performance Grant (EMPG) for FY 2007-08 in the amount of \$96,869.

Pursuant to A.R.S. §45-17106(B), increase the FY 2007-08 Emergency Management (150) Emergency Management Fund (215) revenue and expenditure budgets by \$96,869. The grant period is October 1, 2006 to September 30, 2008. MCDEM's indirect cost rate for this grant is 12.85%. Indirect costs of \$11,030.28 are allowable and recoverable. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1508004001)

Environmental Services

58. EXCEPTION TO THE MARICOPA COUNTY COMPENSATION PLAN SECTION IV.A. SALARY ADVANCEMENT

Approve an exception to the Maricopa County Compensation Plan Section IV.A. Salary Advancement to allow the salary advancement for Environmental Services Department employee Renda Washington-Logan to be effective retroactively to August 27, 2007. The total impact of this request is approximately \$731.64. (C8808005600) (ADM3308-001)

Planning and Development

59. RESCIND ADOPTION OF ORDINANCE #1 FOR THE MARICOPA COUNTY AGGREGATE MINING OPERATIONS ZONING DISTRICT #1

Rescind action taken on December 19, 2007 (C4408009000) at which adoption of Ordinance #1 for the Maricopa County Aggregate Mining Operations Zoning District #1 was adopted.

Approve Administrative Regulation #1 for the Maricopa County Aggregate Mining Operations Zoning District #1. This Regulation shall be effective from and after the date of passage by the Maricopa County Board of Supervisors. (Copy of Administrative Regulation #1 on file in the Office of the Clerk of the Board) (C4408012000) (ADM3441)

ASSISTANT COUNTY MANAGER – PUBLIC WORKS

Transportation

60. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

61. IGA FOR IMPROVEMENTS TO 83RD AVENUE FROM WILLIAMS TO CALLE LEJOS

Approve an intergovernmental agreement (IGA) between Maricopa County, through the Maricopa County Department of Transportation, (MCDOT) and the City of Peoria for improvements to 83rd Avenue from Williams to Calle Lejos. The estimated total cost of the Project is \$6,000,000. Peoria is providing 100% of the funding and MCDOT/PW is providing staff support only for the Project. The IGA is effective upon recording by the Maricopa County Recorder and remains in effect until terminated. (C6408134200)

62. IGA FOR IMPROVEMENTS TO RIGGS ROAD FROM ELLSWORTH ROAD TO MERIDIAN ROAD

Approve the intergovernmental agreement between Maricopa County, acting through the Maricopa County Department of Transportation and the Town of Queen Creek for improvements to Riggs Road from Ellsworth Road to Meridian Road. The purpose of this agreement is to identify the County's participation in the design of the Project (T251). The design contract for this Project is currently in the amount of \$1,206,358. The IGA is effective upon recording by the Maricopa County Recorder and remains in effect until terminated.

Also, pursuant to A.R.S. §42-17106 (B), approve an amendment to the current FY 2008-2012 five-year TIP in the Department of Transportation (640) Transportation Capital Projects Fund (234) by **decreasing** the Year 1 (FY 2007-08) expenditure budget for Project T070, Alma School Road: McLellan - McKellips capital budget by \$405,000.

And **increasing** the FY 2007-2008 (Year 1) capital budget for Project T251, Riggs Road: Ellsworth - Meridian capital budget by \$405,000.

The requested adjustments result in a net budget impact of zero. (Supervisory District 1)
(C6408137200)

63. ANNEXATION BY THE CITY OF PHOENIX

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Phoenix of County right-of-way within: 67th Avenue from Elwood Street to 504.90 feet North of Elwood Street, in accordance with Phoenix Ordinance No. G-5077. (C6408138000) (ADM4213-002)

64. REIMBURSEMENT TO APS FOR ENGINEERING AND CONSTRUCTION SERVICES

Approve reimbursement to Arizona Public Service Company (APS) for engineering and construction services provided by APS contracted forces for the relocation of the APS owned electrical facilities in conflict with Maricopa County Department of Transportation Project TT253, Rainbow Road Bridge at Buckeye Canal. The cost may not exceed the current estimate of \$17,094.70 by more than 10 percent. MCDOT has verified that APS has prior rights. This approved reimbursement will be in effect for two years from the date of approval by the Board. (Supervisory District 4) (C6408139M00) (ADM2000-006)

65. TRAFFIC CONTROL CHANGES

Approve the following traffic control changes:

- a. **Broadway Road and Perryville Road** – A Four Way Stop (from a Two-Way north/south Stop). This partially rescinds the Through Street Resolution on Broadway Road dated May 21, 1957. (Supervisory District 4) (C6408144000) (F23251)
- b. **St. Johns Road from 51st Avenue to 1.25 miles west of 51st Avenue** – A 35 MPH SPEED LIMIT ZONE (from a 40 MPH SPEED LIMIT ZONE). This rescinds the 40 MPH speed limit zone dated November 12, 1974. (Supervisory District 5) (C6408146000) (F23251)
- c. **St. Johns Road from 1.25 miles west of 51st Avenue to 1.50 miles west of 51st Avenue** – A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE). This partially rescinds the 50 MPH speed limit zone dated November 12, 1974. (Supervisory District 5) (C6408146000) (F23251)
- d. **Miller Road from 700 Feet North of Maricopa Road to Broadway Road** – A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE). This rescinds the 50 MPH speed limit zone dated October 29, 1973. (Supervisory District 4) (C6408148000) (F23251)

66. NEW TRAFFIC CONTROLS

Approve the following new traffic controls:

- a. **27th Avenue from 100 Feet South of New River Road to 100 Feet South of Wander Lane** – All Traffic to stop before entering or crossing a THROUGH STREET. (Supervisory District 3) (C6408145000) (F23251)
- b. Designate the following County Roadways as Prohibited Hazardous Materials Routes: (Supervisory District 5) (C6408147000) (F23251)
 - **83rd Avenue from Baseline Road to Dobbins Road.**
 - **Dobbins Road from 83rd Avenue to 75th Avenue.**
 - **75th Avenue from Dobbins Road to Estrella Drive.**
 - **Estrella Drive from 75th Avenue to 67th Avenue.**
 - **67th Avenue from Estrella Drive to Ray Road.**
 - **Ray Road from 67th Avenue to Saint Johns Road.**
 - **Saint Johns Road from Ray Road to 51st Avenue.**
- c. **79th Avenue from Acoma Drive to Banff Lane (Both sides)** – A NO STOPPING, STANDING, PARKING ANY TIME ZONE from 8:00 am to 3:30 pm School Days Only. (Supervisory District 4) (C6408149000) (F23251)

BOARD OF SUPERVISORS

Clerk of the Board

67. APPOINTMENTS

- a. **Citizen's Audit Advisory Committee** – Reappoint Jill Rissi, representing Supervisorial District 2, whose term is effective from April 5, 2008 through April 4, 2010. (C0608069900) (ADM2602-001)
- b. **Sports Commission Board of Directors** – Appoint Gary Hays, as nominated by Supervisorial District 1, whose term is effective from the date of Board approval through March 11, 2012. (C0608072900) (ADM3240-001)
- c. **Industrial Development Authority Board of Directors** – Reappoint Merwin Grant, as nominated by Supervisorial District 2, whose term is effective from the date of Board approval through December 17, 2013. (C0608076900) (ADM4500-001)

68. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

SETTING OF HEARINGS

~All hearings will be held at 9:00 a.m., 205 W. Jefferson, Phoenix, unless otherwise noted~

Clerk of the Board

69. FRANCHISE

- a. Reset a public hearing for March 26, 2008, to solicit comments and consider the application by **Beardsley Water Company** (BWC), for an extension to an existing public service franchise for a domestic water distribution system. The Board, at its February 20, 2008 meeting, previously set this matter for public hearing for March 12, 2008, pursuant to A.R.S. §40-283. Resetting the public hearing for March 26, 2008, allows for further time to satisfy the publishing requirements as stipulated in A.R.S. §40-283(E). (C0608062700) (F18706)

- b. Reset a public hearing for March 26, 2008, to solicit comments and consider the application by **Water Utility of Greater Tonopah**, for an extension to an existing public service franchise for a domestic water distribution system. The Board, at its February 20, 2008 meeting, previously set this matter for public hearing for March 12, 2008, pursuant to A.R.S. §40-283. Resetting the public hearing for March 26, 2008, allows for further time to satisfy the publishing requirements as stipulated in A.R.S. §40-283(E). (C0608063700) (F21283)

70. CHANDLER COUNTY ISLAND FIRE DISTRICT

Receive the formation request for the proposed Chandler County Island Fire District, located in the City of Chandler municipal planning area and set a public hearing pursuant to A.R.S. §48-851, for Wednesday, April 9, 2008. At the hearing on April 9th, the Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district formation request and authorize the persons proposing the district to circulate petitions. The revised map and list of proposed organizing board members are on file in the Clerk of the Board's office. (Supervisorial District 1) (C0608074700) (ADM4455)

Planning and Development

71. CASES

Schedule Planning and Development public hearings on zoning cases and other matters for the March 26, 2008 meeting. (List is on file in the Clerk of the Board's office)

Transportation

72. ROAD FILE DECLARATION

Set a public hearing to declare the following roads into the county highway system for Wednesday, April 9, 2008.

Road File No. (A392). In the vicinity of Rio Verde Drive from 136th Street to the Intersection of Forest Road and Needle Rock Road. (Supervisorial District 2) (C64081360000)

CONSENT AGENDA

Clerk of the Board

- 73. ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001)
- 74. Appointments** – Approve the Official Appointments of Ryan McDevitt as Deputy Recorder.

75. **Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4300)
76. **Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723)
77. **Compromises** – Accept the requested compromises in various bond forfeiture matters, waivers of medical liens and other matters. This item was discussed in Executive Session on February 4, 2008. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM407)
78. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809)
79. **Market Ranges** – Approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. (List of additional and/or replacement market ranges are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3308-006)
80. **Minutes** – Approve the minutes of the Board of Supervisors meetings held May 18, 2006, August 14, 2006, September 13, 2006, September 14, 2006, January 25, 2007, February 15, 2007, July 23, 2007, August 20, 2007, September 4, 2007, September 14, 2007, September 17, 2007, September 27, 2007, September 19, 2007, October 15, 2007, October 29, 2007, and November 13, 2007.
81. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701)
82. **Secured Tax Roll Corrections** – Approve requests from the Assessor for correction of the Secured Tax Roll Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705)
83. **Settlement of Property Tax Cases** – Approve the settlement of tax cases dated March 12, 2008. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)
84. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816)

85. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708)

IMPROVEMENT DISTRICT AGENDA

ID-1. RESOLUTION ORDERING THE PAVING IMPROVEMENT AND CALL FOR SEALED BIDS FOR THE PLYMOUTH STREET IMPROVEMENT DISTRICT

Adopt a resolution ordering the paving improvement and call for sealed bids to be submitted on April 9, 2008, for the Plymouth Street Improvement District. The District is located in the vicinity of 78th Street and McDowell Road. (Supervisory District 2) (C6408150000) (ADM4302)

FLOOD CONTROL DISTRICT AGENDA

FCD-1. MINUTES

Approve minutes of meeting held August 14, 2006, July 23, 2007, and September 19, 2007.

FCD-2. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

FCD-3. IGA WITH THE CITY OF PHOENIX FOR THE 23RD AVENUE & ROESER ROAD DETENTION BASIN AND STORM DRAIN PROJECT

Approve Amendment No.1 to Intergovernmental Agreement (IGA) FCD 2003A004A between the Flood Control District of Maricopa County and the City of Phoenix, for cost-sharing, design, rights-of-way acquisition, utility relocation, construction, construction management, and operation and maintenance for the 23rd Avenue and Roeser Road Detention Basin and Storm Drain Project (#117). The IGA will authorize a revised total estimated project cost of \$9,000,000 to be shared equally between the District and the City, making the District's estimated cost share \$4,500,000, and to include funding in the current and future Five Year Capital Improvement Programs, subject to approval of the Board of Directors of the Flood Control District of Maricopa County (Board). Amendment is effective as of the date it has been executed by both parties and recorded by the Maricopa County Recorder. (C6904082201)

LIBRARY DISTRICT AGENDA

LD-1. MINUTES

Approve the minutes of meeting held September 19, 2007.

LD-2. REAPPOINTMENTS

- a. Approve the reappointment of **Janet Mills** to the **Library District Citizens' Advisory Committee** representing Supervisorial District 1. The term of the appointment will be effective as of the date of Board approval through June 30, 2008. (C0608070900) (ADM2805-001)
- b. Approve the reappointment of **Sue Jordan** to the **Library District Citizens' Advisory Committee** representing Supervisorial District 1. The term of the appointment will be effective as of the date of Board approval through June 30, 2009. (C0608070900) (ADM2805-001)

STADIUM DISTRICT AGENDA

SD-1. MINUTES

Approve minutes of meeting held September 19, 2007.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

86. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605)
87. Supervisors'/County Manager's summary of current events. (ADM606)

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*****The Board of Supervisors will now consider Code Enforcement Reviews.*****

Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred.
New evidence is not considered at these hearings.

CODE ENFORCEMENT REVIEW

PZ-1. Charles Dunning – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2007-01710, **Charles Dunning** (Supervisory District 4) (ADM3417-057)

*****The Board of Supervisors will now consider matters related to Planning and Zoning.*****

PLANNING AND ZONING AGENDA

CONSENT AGENDA: **(Detailed below)**

1. Z2006-140, Rezone from Rural-43 to R1-35 RUPD, located at the northwest corner of Riggs Road & 183rd Street (in the Queen Creek area) (District 1)
2. Z2007-127, Major Amendment to a Special Use Permit (SUP) in the Rural-43 zoning district, Airport Zone 4 overlay district, Wireless Communication Facility Use District 2, located west of Cotton Lane and south of Maryland Avenue (in the west Glendale area) (District 4)
3. S2007-024, Replat in the C-O CUPD district, located east of Venture Drive and south of Anthem Way (in the Anthem area) (District 3)

REGULAR AGENDA: **(Detailed below)**

4. Z2006-107, Rezone from Rural-43 to Rural-43 RUPD, located at the northwest corner of Desert Hills Drive & 7th Avenue (in the Anthem area) (District 3) (Continued from 02/06/08) (Case requires a $\frac{3}{4}$ super-majority vote for approval)
5. Z2007-090, Special Use Permit (SUP) in the Rural-43 zoning district, located approximately 560' east of New River Road on Mano Drive (New River/Desert Hills area) (District 3)

CONSENT AGENDA DETAIL:

- | | | |
|----|------------------|---|
| 1. | Z2006-140 | District 1 |
| | Applicant: | SVK Engineering for Fig Springs Ranch, LLC |
| | Location: | Northwest corner of Riggs Road and 183rd Street (in the Queen Creek area) |
| | Request: | Zone Change from Rural-43 to R1-35 RUPD (approximately 19.79 acres) – Riggs Ranch Estates |

COMMISSION ACTION: Commissioner Brooks moved to recommend approval of Z2006-140, subject to stipulations “a” through “m”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the zoning exhibit entitled “Preliminary Plat/Zoning Exhibit of Riggs Ranch Estates”, consisting of 2 full-size sheets, dated (revised) January 24, 2008 and stamped received January 24, 2008, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Project Narrative Riggs Ranch Estates” consisting of eleven (11) pages, dated (revised) January 17, 2008 and stamped received January 18, 2008 except as modified by the following stipulations.
- c. Development of the site shall be in general conformance with the conceptual landscape plan entitled “Riggs Ranch Estates”, consisting of five (5) full-size sheets, dated (revised) December 5, 2007 and stamped received January 18, 2008, except as modified by the following stipulations.
- d. The R1-35 RUPD zoning district for Riggs Ranch Estates shall be subject to the following development standards:

Development Standard	R1-35 Base	R1-35 RUPD Proposed
Height	30’/2 stories	30’/2 stories
Front Yard	40’	40’
Side Yard	20’	20’
Street-side Yard	20’	20’
Rear Yard	40’	40’
Lot Area	35,000 sq. ft.	35,000 sq. ft.
Lot Width ¹	145’	118’
Lot Area per Dwelling Unit ²	35,000 sq. ft.	<i>41,000 sq. ft.</i>
Lot Coverage	20%	20%
Distance between buildings	15’	15’
Parking Spaces	2	2
Wall Height	6’ max height	7’

1) Lot width is measured at front yard setback.

2) Lot Area per Dwelling Unit = total area of lots and open spaces, excluding all public and private streets, divided by the total number of lots.

- e. Variations to the development standards as indicated in the approved Unit Plan of Development Table may be varied by the Board of Adjustment in accordance with Article 303.2.2 of the Maricopa County Zoning Ordinance.
- f. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall

be screened with landscape material where possible. All HVAC units shall be ground mounted. All trees shall be double-staked when installed.

- g. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
 - 1. Provide a total half-width of 70' right-of-way on Riggs Road.
 - 2. Provide ultimate half-street improvements (pavement, curb, gutter and sidewalk) on Riggs Road.
- h. All interior streets within the proposed development are to be constructed to minimum County standards.
- i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- k. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- l. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- m. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

2. **Z2007-127** District 4

Applicant: Verizon Wireless for Cotton Lane Baptist Church, Inc.
Location: West of Cotton Lane and South of Maryland Avenue (in the west Glendale area)
Request: Major Amendment to a Special Use Permit (SUP) for a Wireless Communication Facility (WCF) in the Rural-43 zoning district, Airport Zone 4 Overlay District and WCF Use District 2. This site is also within the high noise and accident potential zone of Luke AFB (approximately 0.04 acres) – PHO Russell

COMMISSION ACTION: Commissioner Makula moved to recommend approval of Z2007-127, subject to stipulations "a" through "n". Commissioner Aster seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall be in substantial conformance with the site plan entitled "Major Amendment for PHO Russell Case Number: Z2007127", consisting of eight (8) full-size sheets, dated revised January 7, 2008 and stamped received January 9, 2008, except as modified by the following stipulations.

- b. Development of the site shall be in conformance with the narrative report entitled "Major Amendment Application for Wireless Communication Facility" consisting of six (6) pages, dated revised December 12, 2008, and stamped received January 9, 2008 except as modified by the following stipulations:
- c. The maximum height of the monopole shall not exceed 57'-0" as shown on the approved site plan.
- d. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- e. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be screened.
- f. Development of the site shall be in conformance with all Federal and State requirements, including but not limited to, Federal Communications Commission (FCC), Federal Aviation Administration (FAA), National Environmental Policy Act (NEPA), and State Historical Preservation Office (SHPO). The applicant shall be responsible for obtaining all necessary approvals prior to construction, and shall be accountable to those agency requirements, and penalties.
- g. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
- h. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- i. This Special Use Permit shall expire twenty (20) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements related to the wireless communication facility shall be removed within 60 days of such termination or expiration.
- j. The applicant shall submit a written report outlining the status of the development at the end of five (5) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- k. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department. Minor changes may be administratively approved by staff of the Planning and Development Department. Co-location shall be considered an administrative process.
- l. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- m. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation,

Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- n. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

3. **S2007-024** District 3

Applicant: Steven Nevala – Cawley Architects
Location: East of Venture Drive, south of Anthem Way (in the Anthem area)
Request: Replat for Anthem East Side Mixed Use Parcel 48

REGULAR AGENDA DETAIL:

4. **Z2006-107** District 3
(Case requires a $\frac{3}{4}$ super-majority vote for approval) (Continued from 02-06-08)

Applicant: Sonora West Development for Cadora Desert Hills
Location: Northwest corner of Desert Hills Drive and 7th Avenue (in the Anthem/Desert Hills area)
Request: Rezone from Rural-43 to Rural-43 RUPD (approximately 74.23 acres) – Desert Hills Equestrian Estates

COMMISSION ACTION: Commissioner Aster moved to continue Z2006-107 for 60-days. Commissioner Jones seconded the motion, which failed 4-4 as follows:

Commissioner Jones - yes	Commissioner Pugmire - no
Commissioner Aster - yes	Commissioner Bowers - no
Commissioner Barney – yes	Commissioner Brooks - no
Commissioner Johnson – yes	Chairman Smith - no

COMMISSION ACTION: Commissioner Aster moved to deny Z2006-107. There was no second. Motion failed.

COMMISSION ACTION: Commissioner Barney moved to recommend approval of Z2006-107, subject to stipulations “a” through “v”. Commissioner Brooks seconded the motion, which passed with a majority vote of 6-2 with Commissioners Aster and Jones dissenting.

- a. Development of the site shall comply with the Zoning Exhibit entitled “Desert Hills Equestrian Estates”, consisting of three (3) full-size sheets, dated revised May, 2007, and stamped received September 11, 2007, except as modified by the following stipulations. Within thirty (30) days of Board of Supervisors approval, a revised zoning exhibit will be submitted to the County to address changes to the RUPD table.
- b. Development of the site shall be in conformance with the narrative report entitled “Desert Hills Equestrian Estates”, consisting of eighteen (18) pages, dated revised September 5, 2007, and stamped received September 11, 2007, except as modified by the following stipulations.
- c. Development of the site shall be in conformance with the landscape plan entitled “Preliminary Landscape Plan Desert Hills Equestrian Estates”, consisting of four (4) full size sheets, dated revised August 16, 2007, and stamped received September 11, 2007, except as modified by the following stipulations.

- d. The Rural-43 RUPD zoning district for Desert Hills Equestrian Estates shall be subject to the following development standards:

Development Standard	Rural-43 Base	Rural-43 RUPD Proposed
Maximum building height / stories	30'2 stories	30'2 stories
Minimum front setback	40'	40'
Minimum side setback	30'	20'
Minimum street side setback	20'	20'
Minimum rear setback	40'	30'
Minimum lot size	43,560 sq. ft.	35,000 sq. ft.
Minimum lot width	145'	110'
Average lot area per dwelling unit	43,560 sq. ft.	<i>47,000 sq. ft.</i>
Maximum lot coverage	15%	20%
Minimum distance between Buildings on same lot	15'	15'
Required parking spaces per unit	2	2
Wall Height	6'	6'
Signage	32 sq. ft.	32 sq. ft.
Equestrian Arena Lighting	Max. 25' per Anthem Design Standards	25' Maximum

- e. Construction of a bridge will not be allowed over Skunk Creek Wash to bridge the development of this site into the interior roadway network of Anthem.
- f. The equestrian facility will be for the use and benefit of the residents of Desert Hills Equestrian Estates only. A Special Use Permit will be required and approved by the Board of Supervisors if the facility is expanded beyond the use and benefit of the residents of Desert Hills Equestrian Estates.
- g. The private equestrian facility arena lights shall be shut off by 9:00 p.m.
- h. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
1. Provide a total half-width of 65' right-of-way on Desert Hills Drive.
 2. Provide a total half-width of 40' right-of-way on 7th Avenue (total length).
 3. Construct ultimate half-width improvements, including pavement, curb and gutter, to perimeter roads (7th avenue and Desert Hills Drive).
- i. All trees shall be double-staked when installed.

- j. A continuous parapet shall screen all roof-mounted equipment.
- k. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground mounted.
- l. All interior streets within the proposed development are to be constructed to minimum County standards.
- m. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- n. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- o. All development and engineering design shall be in conformance with the Drainage Regulations and current engineering policies, standards and best practices at the time of application for construction.
- p. Drainage review of planning and or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- q. The applicant or his successor shall obtain approval of any development plans from the Office of Arizona State Fire Marshal prior to any construction.
- r. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to Final Plat approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- s. Prior to Final Plat approval, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- t. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- u. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- v. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

5. **Z2007-090** District 3

Applicant: Floyd & Josh Johnston for Floyd & Beth Johnston
Location: East of New River Road on Mano Drive (New River/Desert Hills area)
Request: Special Use Permit (SUP) for a Cottage Industry for construction and storage of playground equipment and associated materials in the Rural-43 zoning district (approximately 0.72 acres of a 4.8 acre site) – Johnston Cottage Industry

COMMISSION ACTION: Commissioner Aster moved to recommend approval of Z2007-090, subject to stipulations “a” through “x”. Commissioner Johnson seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the site plan entitled “Floyd Johnston Site Plan”, consisting of 1 sheet, dated (revised) January 9, 2008, and stamped received January 18, 2008, except as modified by the following stipulations. Within thirty (30) days of BOS approval the applicant will submit two (2) copies of the site plan revising Note #6 to read “ All new walls are not to exceed 6' height”.
- b. Development of the site shall be in conformance with the ‘Narrative Report (Special Use Permit) for Cottage Industry”, consisting of six (6) sheets, dated (revised) January 7, 2008 and stamped received January 7, 2008, except as modified by the following stipulations.
- c. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for paving in the right-of-way. Driveways in county right-of-way must be paved.
- d. The site shall be in compliance with all criteria governing a Cottage Industry as described in the MCZO except as noted below.
- e. The hours of operation for the facility shall be limited to 7:00 a.m. to 3:30 p.m., Monday through Friday.
- f. The number of full-time employees shall not exceed three (3).
- g. The number of deliveries shall not exceed three (3) per week.
- h. There shall be no showroom for retail sales at this location. Marketing shall be offsite or through electronic mail and sales shall be limited to pick-up of merchandise only
- i. There shall be no off-site parking permitted for day to day operations of the facility.
- j. There shall be no outdoor storage of materials which exceed 6' (h). All outdoor storage materials must be placed so as to be screened by the 6' (h) block wall as reflected on the site plan.
- k. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- l. All HVAC units shall be ground-mounted.
- m. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire district. Prior to issuance of zoning clearance, the applicant shall seek review and

comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.

- n. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
- o. Within 30 days of approval of this Special Use Permit by the Board of Supervisors, the applicant shall prepare and submit an application for a grading permit and include an Engineered Grading and Drainage Plan to the Planning and Development Department for review and approval by the Drainage Review Division and the Flood Control District.
- p. Within 30 days of approval, the owner shall apply for as-built permits for the existing garage identified on the site plan. The site will be brought into compliance with current building code standards or this special use shall be revoked.
- q. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- r. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- s. The applicant shall submit a written report outlining the status of the development at the end of two (2) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- t. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- u. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- v. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- w. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- x. The garage, workshop and CMU wall shall be painted to match the house color.